

# NATIONAL GOVERNMENT JOURNAL,

VOL. II. NO. 7.]

AND REGISTER OF OFFICIAL PAPERS.

[JANUARY 24, 1825.]

## Documents.

### PIRATICAL DEPREDACTIONS.

Message from the President of the United States, transmitting information relative to Piratical Depredations, and furnished in pursuance of two resolutions of 21st and 23d December last.

CONTINUED FROM FOLIO 144.

No. 5.

Extract of a letter from Mr. Randall to the Secretary of State, dated

HAVANA, 6th September, 1824.

"The Government will have learned, from my letter of the 14th July, by the John Adams, and from other accounts, of the renewal of the piracies at this island, in their most atrocious and sanguinary form. In that letter, I mentioned the cases of the Mercator, the Castor, and others. While at Matanzas, I was informed that several other captures had occurred near that city; but, from the destruction of the vessels and crews, no particulars were known. At the same time, the brig Industry, of Baltimore, when in the harbour of Matanzas, and only a few miles from the city, was attacked by five piratical boats, which were beaten off. The firing was distinctly heard in Matanzas. A Spanish brig of war lay in the port, but no efforts were made to capture the boats."

"While at Matanzas, and in its neighbourhood, I heard much of the nature and extent of the piracies committed there, and of the extensive participation in it by persons of the city and country. The facts are truly appalling, and far exceed, in degree and turpitude, the views of it presented in my letter of the 14th July. Large quantities of their plunder are known to have been introduced by the pirates into Matanzas, and are vending there at prices which alone betray the nature of the property. Many articles, of a peculiar fabric, and known not to have been regularly introduced, are seen there constantly; such as French hats, of the newest fashion, on the heads of vulgar ruffians. The retailers of goods are seen travelling to the coast with great hopes for the known purpose of making purchases from the pirates. A respectable Englishman, who keeps the ferry near the city, informed me, that the returns from his ferry, give certain indications when prizes are on the coast, from the number of persons who resort from Matanzas to their rendezvous. No effectual measures are taken to stop this traffic. If, occasionally, goods are seized in the attempt to smuggle them into the city, the affair terminates by their condemnation, or being taken by the officers of the customs, and nothing more is heard of it. Persons, known to be pirates, walk the streets unmolested, no one being willing to incur the risk of denouncing them.

But very recently, a scene of piracy has been exposed in another quarter, which must have been acting for several months, and which, for the extent of its depredations, and their atrocity, transcends all that have been known for several years. They have taken place at Baya Honda, to the leeward of this place, near Cape San Antonio, the old scene of similar crimes. Information having been given to Captain Graham, of the British sloop of war Icarus, an expedition was fitted out in his boats, which proceeded to Baya Honda, on the 21st ult. succeeded in capturing two pirate vessels, and in killing several of the pirates. On the approach of the boats, the pirates, about forty in number, fled into the bushes. On board one of the pirate vessels, were

confined the captain and crew of the brig Henry, of Hartford, Connecticut, who were most seasonably released. The Henry was captured on the 16th ult. bound from a port in Mexico to Matanzas, with a cargo of mules. The captain and his crew were treated with the accustomed cruelty of these ruffians, and were designed to be killed the next day, after they had assisted in landing the mules. The Henry was dismantled and stripped.

In the bay, were found the wrecks of twelve vessels, recently destroyed by the pirates, the crews of all of which are supposed to have been murdered. Some of the vessels were very large, and the British officers computed that their crews could not have consisted of a less number than one hundred and twenty persons. Of this horde of villains nothing had been previously heard, and they had been, no doubt, carrying on their depredations for a considerable time without interruption. Some of the crew of the Henry were told by the pirates, that all those vessels, twelve in number, had been captured and destroyed by them; and, upon being asked what had been done with their crews, they very significantly shrugged their shoulders, but gave no answer. This part of the coast has been but little observed of late by men of war, from an idea that the pirates had entirely deserted it; and it is still believed to be very imperfectly explored and known. The place is represented as having many secret harbours, difficult of detection, without a very strict scrutiny with boats. The pirates run their prizes into those small harbours or inlets, cut away their masts, and to vessels merely cruising in the bay, they are then invisible. It is further stated, by the crew of the Henry, that the pirates had sold to persons on shore, the mules on board that vessel, which they were about landing, when surprised by the boats of the Icarus. It is impossible that such extensive operations could have been carried on without the full knowledge and participation of the adjacent country.

Captain Graham made a representation to the plains much of the apathy evinced by them on the occasion. He has, however, been promised that measures should be taken to discover and punish the delinquents, to which purpose orders would be sent to the captain of the "Partido," or district where the affair occurred. To Captain Graham, his officers, and men, the greatest praise is due for their promptness in equipping the force, the gallantry and spirit with which it was conducted, and not less for their humanity to our unfortunate seamen, whom they relieved in the very crisis of their fate. This officer was before advantageously known for his good conduct and success against the pirates, in killing the noted chief, Pápé, and destroying his establishment at the Isle of Pines. Captain Graham states that the Governor of the Isle of Pines had, a short time before, presented this notorious pirate, an elegant pair of pistols. On the destruction of his party by the English, this same governor claimed great merit for the aid he afforded. I have also been told, and have reason to believe, that the Spanish brig of war "El Marte," Don Jose Apodaca commander, a few days since, fell in with, and boarded, pirate vessel, the consort of those destroyed by the boats of the Icarus.—The visit terminated, however, in mutual civilities. The officers of the man of war received various presents from the pirates, and let him pass, although his character was well known to all on board. The pirate regretted that he only cruised

against the enemies of Spain. The account is given by a seaman who was on board the "Marte," and visited the pirates.

I report those facts, out of the many similar ones which occur, to satisfy the Government that the whole body of the state is infected and tainted with this dreadful crime, and as a justification for any extremity of treatment which the United States may find it necessary to apply. I must add my increased conviction, arising from more varied information, that nothing short of a system of strict reprisals against this island, its trade, and property, will afford an effectual remedy. I took the liberty, in my letter sent by the John Adams, to offer some remarks in recommendation of this measure. In the mean time, to check and restrain it partially, a large and active force must be constantly kept up on this coast. It is also in my opinion necessary that the force employed should be always present, with an undivided view and attention to this business. Their occasional absence on other duties, materially impairs their efficacy. Their operations against the pirates should be consecutive and unremitting. It has been found that occasional visits to suspected places, by different vessels, and at long intervals, produce no serious impression on the pirates. They serve, it is true, to afford convoy and a momentary protection, but the intervals of their absence are occupied by the pirates in renewed depredations. It is considered by all intelligent persons at Matanzas to be indispensable, that a vessel of at least the force of one of our largest schooners should be constantly lying in the entrance of that harbour. The advantage of such a measure has been before evinced.—While on this subject, I think it my duty to state, that much dissatisfaction and complaint exists amongst the merchants and traders here, citizens of the United States, because of the great diminution of our naval force in this quarter during the past summer. They allege the summer months to be much more fraught with danger to vessels, because of the calms which prevail, and which, while they prevent the arrival of our merchant vessels much more to their attacks. In the more boisterous months, many of those boats cannot cruise, and the vessels approaching rapidly to the coast, and running at once into port, are much less liable to capture. I have endeavoured to silence their complaints, (which will probably be heard in the United States,) and to convince them that every possible care has been taken to afford them protection. I cannot but lament, however, the causes, (sufficient, no doubt,) which have induced the withdrawing of so large a portion of the force. Recent events here have proved, that, if this was induced by the supposition that piracy was effectually put down, or that the force left was adequate to restrain it, the opinion was erroneous, and its consequences deplorable."

No. 6.

Extract of a letter from Mr. Randall to the Secretary of State, dated Havana, Sept. 15, 1824.

"The pirates at Key Sal, and to the windward, have lately received an increase of numbers, which threatens to give more extension to their ravages. Several slave vessels, and others, were captured by a Colombian privateer, and their crews, to the number of 140 men, sent into Matanzas. A large number of those desperadoes stole boats, and left that place avowedly to join the pirates. The vessels to which they belong—

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ed were under convoy of a French brig of war, which, however, did not attempt to afford them any protection. This conduct of the French commander has much exasperated the Spaniards, and they are much incensed against the French as they were before against the Americans and English. Some of the owners of those vessels openly threaten reprisals, and say they will respect no flag; in other words, that they will turn pirates, and make up their losses.

Some persons have been lately arrested at or near Baya Honda, and sent in custody to this city, charged with being concerned in the late piracies committed in that quarter. Some of them belong to Regla, a village in this harbour, which has ever been the head quarters of the pirates. The authorities of this Island have at length made a serious effort against the pirates. An expedition of launches and boats was prepared, and actually sailed, on the night of the 12th inst. on this service. To conceal the design from the pirates, an embargo was, on the 11th, laid upon all vessels and boats in this harbour, which was not raised until the 14th. But, as much time was consumed by their tardy preparations, and no other precautions taken to prevent its being known, it is not to be doubted that the pirates have received, from their fellows here, timely intelligence of the movement. This new-born zeal of the authorities has excited some surprise and speculation in this city. It is supposed to have [been] excited by the affair of the Brig Marte, mentioned in my last letter. The commandant of that vessel has himself reported to the Government his having fallen in with the pirates off "Cayo Comites," or Sugar Key, and that he had treated with them under a flag of truce, not feeling strong enough to attack them. This disgraceful affair has thrown such contempt on the flag of Spain, and its authorities, that Government is now incited to attempt something effectual. The present expedition, is, however, the subject of derision in this city, and, from its composition, promises nothing but failure and disgrace. I anticipate better results from two other expeditions, which will be on the same service. The *Thracian*, which sailed the 13th to the windward, on a cruise against the pirates. The other has been fitting out at Key West for some days past, and has, ere this, I hope, fallen in with the party at Sugar Key."

#### No. 7.

*Extracts of a letter from Mr. Randall to the Secretary of State, dated Havana, 31st October, 1824.*

"My former letters contain all the cases of piracy which have come to my knowledge since my residence at this place, and I regret I have to add to the black catalogue some recent instances, marked with a degree of cruelty, so wanton and atrocious, as to be peculiar even in the annals of this most barbarous warfare. Several American vessels were captured about the 20th instant, near Matanzas, by a large launch from Regla, their crews all murdered, with the exception of one seaman, and the vessel burnt. Two of the vessels are known, viz the *Laura Ann* and the *Morning Star*, both of New-York, the latter supposed to have been bound to New Orleans with passengers. From the first named vessel one seaman escaped, by secreting himself under the cargo, when his companions were murdered. The pirates, after setting fire to the vessel, deserted her, when this seaman escaped by swimming to the shore. He reached Matanzas, and has there given a detail of the horrid affair. A piratical boat, belonging to Regla, was, the next day, cap-

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tured by the boats of the United States' schooner *Porpoise*, and is the same which made the above captures. Her crew, unfortunately, escaped to the shore at —

The boat, and the articles which it contained, gave bloody evidences of the tragical scenes which had been acted by its crew. Many suits of clothes were found on board, bloody and pierced with holes, through which their unfortunate wearers had been stabbed. Some of them, partly worn, belonged to females.

The pirates are known to have remained together, and to have slept the ensuing night in a house on the shore near —, without molestation, although the blaze of the vessel which they burnt, the pursuit of their vessel by the boats of the *Porpoise*, were all distinctly seen by the people on the shore, in whose view the pirates landed. Those facts I have just heard from a respectable person from Matanzas, and Mr. Mountain has received a letter from Matanzas, of the same tenor. This letter has been sent to the Captain General on his application.

A full detail of the affair, has, no doubt, been sent to the United States by the naval officers and the consular agents on that station. Other vessels are missing, and are supposed to have shared the same fate. From the evidence of the seaman of the *Laura Ann*, above referred to, it appears that the pirates were not content with simply putting to death the crew of that vessel, which made no resistance, and offered nothing to excite their cupidity, but perpetrated it with the most refined and cruel tortures they could invent. It is an important fact, also, in this case, that the fate of the *Laura Ann* was known at this place, through the means of the pirates themselves, more than 24 hours before any regular communications had, or could have been received, from the scene of action, through any other medium. The first account came from Regla, and when inquiries were made by me, as to its authority, I was answered, "that it was undoubtedly true, for it came from Regla, and might, therefore, be relied upon as official." One other circumstance convinces me that the first account must have been communicated in Regla. It is this: it was first reported here that every man on board had been put to death. This the pirates certainly must have believed to be the case, from the care they took to effect it; and that the burning of the vessel had sealed the fate of all on board, and thus they reported it. The escape of the seaman was not known until the arrival of the steam boat from Matanzas brought the first authentic and certain intelligence on the subject.

It will thus be seen, that this horrible crime continues to be perpetrated to an extent, and with a savage ferocity, never before equalled. Of the numerous captures, the particulars of which are known, the indiscriminate murder of all on board, appears to be the settled purpose of those remorseless villains. It is painful to reflect upon the numbers who may have fallen victims to the same fate, but whose tragical story may be buried in the ocean with their mangled bodies. It is now obvious that piracy has found so congenial a soil, has grown to so fearful an extent, and is so deeply rooted in this Island, as to require the efforts of all commercial nations to eradicate it. Piracy, with the slave trade, (the prolific parent of this and many other crimes,) now reigns in full licentiousness, and defies, as well the sanction of law, as the impotent arm of government. These crimes have become the settled, inveterate habit and occupation of a large portion of the people of the island. The thirst for illicit gain has displaced all desire for fair and

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legitimate acquisitions; and familiarity with scenes of blood and carnage, has stifled the voice of humanity and remorse. It has now become a cause, in which not only individual property and lives, to a fearful aggregate, are jeopardied, but even the honour of nations and the cause of civilization are at stake. It cannot be endured, that this band of remorseless wretches should be suffered longer to cumber the earth. The robberies and cruelties of the Barbary States, which have so often roused all Christendom to arms, were trifling in extent and ferocity, compared with those of the pirates of Cuba. It is in vain for commercial nations to rely for security upon mere preventive measures at sea, or upon the efforts of the authorities and people of this island to extirpate it. The authorities cannot restrain if they would. Even the present Governor, characterized as he is for firmness and moral courage, feels his power too precarious, at this crisis, to venture upon the measures of rigour and severity essential to its suppression. The ridiculous issue of the late expedition from this port, has only served to display in full relief the weakness of the government, and to afford another argument of security to the pirates. The unprincipled and wicked have obtained the complete ascendancy, and the honest few dare not denounce or pursue the criminals. In such a state of things, the pirates must be pursued by foreign forces into their retreats on land, and this community coerced by a severe and just retribution to aid in ejecting those miscreants from its bosom. The cause of justice and humanity will require that parts of this island be occupied by a foreign force, and that the sword of justice be wrested from the hands of those who have proved themselves unworthy or too weak to wield it. Pardon me, sir, if, on this subject, I suffer my feelings to lead me into too great a warmth of expression, or impetuosity of zeal. To be here on the spot, to witness those horrid scenes of devastation and murder upon the unarmed citizens of friendly nations; to know that these savage acts are participated in, and countenanced by numbers, and viewed with a frigid indifference by the whole community of this island shamefully remiss in measures of prevention and punishment, cannot but excite the most lively indignation at the past, and the most intense anxiety for the future.

On this subject, I beg leave to refer you to a publication in the National Gazette, of Philadelphia, of the 17th September last, which I have just read, and which presents a most lively and faithful picture of this crime in Cuba. This piece has excited much sensation at this place, and the entire accuracy of its details, and the profound and just views which it exhibits of the causes, nature, and extent of this crime, are borne testimony to by every intelligent man with whom I have conversed on the subject. I beg leave to refer to this account. (the writer of which I know not,) as developing fully and more ably than I could myself do, my views upon this subject.

I take the liberty to add some remarks on the disposition and conduct of the naval forces of the United States on this station, which were designed to be employed in the suppression of piracy. It is here a matter of common observation and complaint, that the anti-piratical squadron has effected nothing against the pirates commensurate with its numbers and force, during the last six months. This has not been owing to the want of zeal, of enterprise, or courage, on the part of our officers and seamen actually engaged in this pursuit, but to their diversion to other objects, incompatible with the efficient performance of this highly important service. Since the spring, the vessels

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have been dispersed on various services remote from this island, which they have merely made a touching point "in transitu," without remaining long enough to make any permanent impression on the system. For a considerable time, the most exposed part of this coast, at the most dangerous season, was not visited by a single vessel of war, and, for a still longer time, by none but the smallest and most inefficient.

The temporary cessation of piracies some time before, caused by the presence of a large force on the coast, seems to have induced a delusive and fatal opinion, that the evil was extinguished, and to have led to the diversion of too large a portion of the force, to objects of infinitely less pecuniary, and of scarcely any national importance. I allude to the carrying of specie for our merchants in vessels of war, the whole effect of which is to give a trifling premium of insurance to one class of the community, which would otherwise be paid to another class. In denouncing this practice as detrimental to the best interests of the nation, I but repeat the common sentiment of every man who has witnessed its effects during the past summer. If the benefit to commerce, by this medium, for the transportation of specie, be of sufficient importance, it may be effected by vessels especially designated for that purpose. But experience shews that the suppression of piracy and the transportation of specie, on the late system, are incompatible. The first alone is more than sufficient to occupy all the time and energies of any force we can detach for that service. It must be evident, that officers arriving here, their vessels freighted with large sums of money, deliverable in the United States or elsewhere, for which they have signed bills of lading, and on which insurance has been effected by all parties for their respective interests, have contracted obligations, always embarrassing, and frequently directly adverse to the performance of some important service. Such has been the predicament of many vessels of the United States, designed to protect our trade against the pirates, which have merely touched at this island, in their voyages to and from other islands out of the sphere of piracy, and the ports of the Gulf of Mexico, the usual termini of those cruises. They stop at the larger ports of this island barely time enough to take in water, and other supplies, to land or receive specie, and then, after a long cruise, return to the United States, their usefulness limited to the conveying of a few vessels from the coast. I trust the notoriety of the practice here, its effects upon the character of the navy, and of the nation, and more especially upon the property and lives of our citizens, will be sufficient to justify those suggestions. I am aware that it is a delicate subject, and not lightly or rashly to be touched; but I should illy discharge my duty as an American citizen, and as an officer of the Government, if, from an ill-timed or fastidious delicacy, I omitted to denounce a practice so pregnant with mischief.

I am happy to add, that Captain Kennedy, and the officers now on this station, discountenance this practice; and that both their conduct and proceedings are entirely conformable to the most rigid dictates of duty. The *Hornet*, the *Porpoise*, and some of the smaller vessels, are actively engaged in the pursuit of the pirates."

No. 8.

John Mountain Esq. acting as Consul, to John Warner, Esq. Consul U. S. dated

HAVANA, July 5th, 1824.

MY DEAR SIR: I am sorry to inform you that in consequence of the absence of our squadron in

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this quarter, the pirates have again commenced their diabolical depredations on our commerce on this side of the island.

The brig *Castor*, of Portland, Capt. Hood, from thence bound to Matanzas, was, on the 1st inst. in the bay of Matanzas, boarded by a boat with seven men, armed with muskets, carbines, swords, pistols and knives, who ordered the Captain to take the vessel out; when, after beating the master most cruelly, and driving the crew below, brought the vessel to anchor in the port of Esccondido, where they robbed her of every thing portable on board; the captain arrived here on the next day.

The brig *John*, of Portland, has arrived at Matanzas, after having been robbed of every thing except the lumber on board by those marauders; the master and crew have been all treated in a very cruel manner. The pirates now boast that they have nothing to fear, as the United States' squadron has left the station.

A number of American vessels are loaded and ready for sea, at Matanzas, but dare not prosecute their voyage, fearful of being overtaken by those worst of enemies.

Several vessels in this port are ready for sea, but are fearful of the consequences of going out to sea; they prefer waiting a few days, hoping that some one of the squadron may come in to afford them protection. What has become of the squadron, and whether it is employed as directed by the act of Congress, appears to be the general inquiry. Indeed, I am unable to give a distinct answer to these questions. I have only to join in the general lamentations that this coast is entirely neglected, unprotected, and our commerce and citizens left completely at the mercy and entire controul of a set of cut throats, who boast and rejoice at the favourable opportunity of enriching themselves by plundering the Americans.

The *Betsey*, Done, a brig bound to Matanzas, has also been robbed, near Matanzas, of all that part of her cargo consisting of provisions, clothes,

Some two or three others are reported to be in the possession of the pirates at this time, but of this I have no certain information. I mention it as rumour, but am fearful it may be true. I am, my dear sir, your very obedient servant,

JOHN MOUNTAIN.

No. 9.

Extract of a letter from Mr. Mountain to Mr. Warner.

HAVANA, October 30th, 1824.

"Herewith accompanying, I have given you a long extract of a letter from Mr. Lattin, of Matanzas. It is a lamentable fact that, unless some efficient measures are taken by our government to put a stop to the pirates, our poor countrymen must suffer; it is too true our trade has not been protected on this side of Cuba, since early last spring; our men of war have, it is certain, occasionally been here, and off here on their way to, or from, the ports in the bay of Mexico, carrying freight. A thirst for making money prevails with others as well as those of the island of Cuba."

No. 10.

Mr. Mountain, acting Consul of the United States at Havana, to Mr. Warner, the Consul.

HAVANA, October 30th, 1824.

MY DEAR SIR: Herewith I have the pleasure to hand you the latest weekly report.

Piracies have again commenced on, or near the shores of Cuba, in alarming degree. The

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following is an extract of a letter from Mr. Lattin, with whom you are acquainted, dated

"MATANZAS, 27th October, 1824.

"I am sorry to say the pirates have committed the most horrid depredations last Thursday and Friday between this and your port. The *Laura Ann*, of New-York, belonging to Griswold, of that place, from Montevideo, with a cargo of jerked beef, was taken, all the crew except one hung, the vessel set on fire, when Jack, who had hid away amongst the beef, crawled out, jumped overboard, and got ashore; he presented himself here on Monday morning, in a state of nudity, not able to walk. He states that they first hung the Captain, then the second mate, layed them on the quarter deck, talked as if they did not intend to injure the sailors, but drove them into the fore-castle, and were taken up one by one, and he had proof of their experiencing the same fate, which induced him to hide himself amongst the beef; they searched for him with a light, some saying *todos* had been hung, and others declaring *uno mas*. The fact is, they were determined, if not hung, he should be roasted; accordingly, set fire abast to the vessel; after ascending on deck, he could see the dead bodies laying amongst the flames on the quarter deck; took his station on the bowsprit, and fell to praying; they having thrown beef overboard, the sharks were in abundance, which held poor Jack mighty uneasy, he preferred the risk of the watery enemy to the flames, and let himself down by a rope, when two sharks took him under their protection, swimming alongside of him, so as occasionally to be in his way; so soon as he got to the rocks, they lashed ship and left him. Jack has some confidence in prayers; this took place just at dark, the burning of the brig gave light to see his companions on his way ashore, which was about 20 rods; after resting awhile, he looked out for a hole to pass the night; he found one with sundry goods in it, which induced him to clear out, and proceed from the scene of horror; he represents having fell in with several deposits of goods—~~last evening the~~ taking Jack to survey the premises; I hope they may succeed in getting some of the plunder. Jack says a brig was taken on Friday morning, and a schooner in the afternoon, by the same party; the boat is a schooner of about 25 to 30 hogsheads; was taken on Friday by the boats of the *Porpoise*, off Camarioco, loaded with clothing, &c. three American colours, six compasses, five quadrants, &c. the crew all escaped on shore. Mr. Smith, from Camarioca, came in last night; was with all the English families on the beach; heard the firing, and afterwards that 13 armed men had gone to a small estate and demanded food; the Captain of the *Partido* got out his forces, but none were taken. We judge upwards of thirty lives were sacrificed from the three vessels taken; the letter bag of the brig morning *Star*, of New-York, was on board the piratical boat. If some efficient measures are not taken by foreign nations, we may say, shake hands Algiers, and acknowledge the buccaniers of Cuba to be your superiors in barbarity. The subject of this is an insult on our Government, and, if Commodore Porter does not be prevailed on to believe the coasts of Cuba are not quite cleared of pirates, we may expect to hear of many tragical cases shortly."

The foregoing account, I have no doubt, is strictly true.

His Excellency sent for, and obtained Mr. Lattin's letter twice Yesterday and this day, for his perusal.

We have some assassinations and a few cases

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of fever, yet the subject of piracy occupies the attention of most people here with whom I mingle.

JOHN MOUNTAIN.

JOHN WARNER,  
Consul of the U. S. at Cuba, now in Baltimore.

No. 11.

*Extract of a letter from Mr. Mountain, Consular Agent of the United States at Havana, dated 25th November, 1824, to Mr. Randall, at Washington.*

"Piracies are not at an end: we learn, via Nassau, that the Brig Edward, of New-York, Dillingham, master, from France, has been taken by the pirates on the 15th day of October, off Cape Maisé, by four boats, manned by Spaniards. The captain and crew were murdered, except the Superdargo and three men, who made their escape in an open boat, and, after fifteen days' exposure, landed in a small key near Turks Island, and from thence were taken to Nassau, New Providence."

No. 12.

*Extract of a letter from Mr. Nelson, Minister Plenipotentiary U. S. at Madrid, to the Secretary of State, dated*

MADRID, Sept. 11th, 1824.

"In pursuance of my intention, expressed in a late despatch, I have prepared and presented to the Spanish Government a note concisely recapitulating the communications on the most important subjects of my correspondence with it. These are, the murder of Lieutenant Cocke; the piracies by the vessels from Cuba; and the captures by the privateers from Porto Rico and Porto Cabello."

*Copy of a letter from Mr. Nelson, Minister Plenipotentiary of the United States to Madrid, to Mr. Salazar, Secretary of State, dated*

MADRID, September 7, 1824.

The undersigned, the Minister Plenipotentiary of the United States of America, begs leave to call the attention of his Catholic Majesty's Government to certain subjects of the deepest interest to the United States, on which the applications heretofore made by the undersigned, have failed to arouse the attention, or to obtain the slightest mark of regard from his Catholic Majesty. The undersigned, from delicacy to the Sovereign of Spain, whom he found, on his presentation, occupied in the re-establishment of the affairs of the kingdom, just emerging from the confusion incident to a state of war, has forborne to urge, with the vehement pressure which his instructions from his Government would seem to require, the decisions of Spain on the several reclamations which were long time since presented by the undersigned to his Catholic Majesty's Secretary of State.

On the 10th day of January last, the undersigned had the honour to address the Secretary of State of his Catholic Majesty, a reclamation on the part of his Government, in behalf of its citizens injured by the illegal and piratical conduct of the subjects of his Catholic Majesty in the West Indian seas. It was represented that property to a very large amount had been captured and sent into the ports of his Catholic Majesty in his American possessions, in many instances against all law and justice, by pirates, who, after committing the most atrocious and nefarious deeds, sought and found shelter and asylum in the islands, and often in the most conspicuous ports and harbours, with the fruits and profits of their inhuman outrages. In many instances these atrocities were perpetrated, not less in defiance of right and justice, by persons pretending to act

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under colour of authority, but whose authority has never been justified; and which, if justified, could never sanction these transactions, marked by a character of piracy and rapacity which no commission could justify. In the cases of robberies committed by the Spanish vessels, acting as pirates, the American property, thus plundered, was often carried into the ports of Cuba, and especially of the Havana, and there, in the most open and daring manner, exposed to sale in the view of the local authorities, unrestrained and unchecked by their slightest interference. American citizens have seen their property thus violently and feloniously taken from them, offered to sale in open market, without the protection of the local Government in the assertion of their rights, and deterred from the vindication of their just claims by the fullest conviction that they would find no support in the Government of the island, but would meet, in all probability, as the requital of their temerity, the fiend-like vengeance of the murderous assassin. In other instances, where the property of the American citizen has been captured under the colour of authority in the vessel making the capture, the conduct of the captors has been scarcely less flagrant than that practised by the pirates. Oftentimes has the booty found in the American vessel been partitioned among the plunderers without going into port, and distributed without legal adjudication by these lawless robbers; and when carried, occasionally, into port, a secret, unknown, and unfrequented port has been resorted to, where law and justice were disregarded, and where every means of obtaining right was denied to the parties concerned; unapprised of the proceedings; and not permitted to avail themselves of the customary means of vindication. In the prosecution of these felonious practices, American citizens have been seized and thrown into prison, and there cruelly detained, often in a horrible state of suffering, almost without the indispensable necessities for human subsistence. In some instances, their property, which the merciless captors had spared, and sent into such a port, when the mock trial to which it had been subjected had terminated, even in their favour, the subject of controversy could no longer be found. Thus has every species of abuse of the rights of persons and of property of American citizens been practised in these regions. The local authorities have been appealed to in vain. The Government of Spain has been appealed to, as yet, without effect. The reclamations are again renewed—the patience of the American Government is tried to its fullest extent of sufferance—and the day is probably not very distant when the necessity of warding off these reiterated and aggravated injuries, and the obligation of doing justice to its citizens, may compel the Government of the United States to resort to measures of a more efficient character for prevention of injury, and the redress of wrongs. This interesting subject has already claimed the attention of the Legislative Councils of the nation. They have hitherto forborne to recommend the adoption of measures of reprisals, from a desire to manifest their friendly dispositions to his Catholic Majesty, and from the hope, that the reclamations, long since presented by their Minister near this Court, would speedily receive attention, and be followed up by his Majesty's answer and determination on the important questions. At no very distant period these councils will, in the regular course of their proceedings, be again assembled at the seat of the national government, when, doubtless, this subject will again be revived by them; and such measures as the existing evils, and the disregard on the part of His Majes-

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ty of the demands hitherto presented by the American Minister, will form with them irrefragable arguments for the adoption of a more efficient system of energetic policy. The undersigned has presented, in different appeals to the Government of His Catholic Majesty, the various subjects of complaint which have arisen from the misconduct of His Majesty's officers and subjects in his ultramarine possessions. One of the most prominent and aggravated was the sacrifice of a gallant officer of the American navy, whilst peaceably entering the port of St. John, in Porto Rico, who was most wantonly and treacherously murdered by a gun from the fort, fired by the order of the officer at that time in command, in the absence of the Governor. In this instance, the American Government demands that this subject shall be rigorously investigated, and an adequate punishment inflicted on the officer, by whose command this outrage was perpetrated.

An appeal has likewise been made to His Catholic Majesty's Government, on the subject of the multiplied piracies which have been committed on the peaceable American commerce in the West Indian seas, by vessels equipped, and sailing from the ports of His Majesty's possessions in these regions, on which reiterated complaints have been made to the local authorities, without effect; and on which the interference of His Majesty has been required, to compel those authorities to fulfil their duty in this regard, by effectual measures for the suppression of the pirates, and by co-operating with the squadron of the United States, sent into those seas for the extirpation of this scourge to the honest and lawful commerce of the whole civilized world.

Another demand upon his Majesty's Government has been made for indemnification against the enormous losses sustained by the American citizens from the captures made by vessels pretending to act under commissions issued by agents alleging to be authorized by His Catholic Majesty.

The authority to issue these commissions, has never been proved; the right to issue them, on the principles avowed, of a paper blockade, without adequate force of an interdiction of all neutral commerce, with the Ports of the Spanish main, or the alleged antient rights of Spain, over that country, has always been resisted and protested against, by all neutral nations, and especially by the United States, and relinquished by his Majesty's officers in that region, and finally renounced or abandoned by his Majesty himself, in his decree of December last, opening the commerce of these countries to all the world. On this subject, the undersigned, in obedience to instructions of his Government, demanded that a just indemnification should be made to all the American citizens, who had suffered any loss in consequence of these illegal acts, done under colour and pretence of his Majesty's authority, but really perpetrated in violation of all laws and justice, whose obligation is acknowledged by all the civilized nations of the world.

The release of all citizens, and surrender of all American property, whose condition had not been changed, but was unjustifiably and illegally detained, was also required.

The undersigned begs leave to present to his Excellency this rapid and cursory sketch of the most important subjects of complaint, which he was instructed to press upon the Government of his Catholic Majesty; he begs leave to refer his Excellency to the different notes presented by him, dated the 10th and 23d of January, and the 3d of February last, in which these grievances are more minutely and especially detailed, and where the appropriate and specific redress de-

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manded, is more explicitly and at large stated than the undersigned has considered it necessary, at this time, to recapitulate.

The undersigned begs leave to urge upon his Excellency the necessity of an early answer to these applications, that his Government may learn how far the spirit and disposition of an harmonious intercourse is reciprocated towards the United States by his Catholic Majesty; that they may be confirmed in that opinion, which they have ever entertained, that an appeal to his majesty's honour is only necessary, to obtain the redress of grievances inflicted, without his sanction and authority, and that the United States may be relieved from the painful necessity of deciding, that an appeal to a more energetic policy, totally at variance with their ardent desire to preserve harmony and avoid collision, is at length become absolutely and indispensably necessary.

The undersigned tenders to his Excellency his most distinguished consideration, and subscribes himself his Excellency's very humble and obedient servant,

HUGH NELSON.

To His Excellency DON LUIS MARIA DE SALAZAR.

First Secretary of State of the  
Despatch, ad interim.

#### REPORT FROM THE NAVY DEPARTMENT.

NAVY DEPARTMENT, January 12th, 1825.

The Secretary of the Navy has the honour to present the following report, in answer to two resolutions of the Senate of the United States, on the subject of piracies, one of which was passed on the 21st of December, 1824, and the other on the 23d of the same month.

Immediately after the passing of the law of the 20th of December, 1822, "authorizing an additional naval force for the suppression of piracy," the vessels contemplated in that act were purchased and prepared for sea, and, with others, placed under the command of Captain David Porter. They consisted of the sloops John Adams and Hornet, the brig Spark, the schooners Porpoise, Grampus, Alligator, and Shark; the Sea Gull, and eight small schooners, five barges, and one transport ship; in all, seventeen vessels, of different sizes, besides the barges.

On the 14th day of February, 1823, Captain Porter sailed from the United States, under orders dated 1st of February, 1823, a copy of which is annexed to this report, and marked A.

The manner in which Capt. Porter has performed the duty assigned to him, and the "information" received from him, will be seen by the reports from this Department to the President of the United States, and communicated by him, with his message, at the commencement of the last and present session of Congress; and by paper marked B, which was unintentionally omitted in the report from this Department on the 1st of December last.

All the vessels above enumerated, except four, have been uniformly employed in the object, so far as their size and the necessity of occasional returns into port for stores and repairs would permit. Of the four vessels above alluded to, the Alligator and Wild Cat have been lost, and the Greyhound and Jackall were sold, "being so much out of repair that it was not for the interest of the United States to repair the same."

There are now employed in the West Indies and Gulf of Mexico, thirteen vessels and five barges; and the frigate Constellation will join the squadron in a few days, her crew being nearly completed. The disposition of the force has been left principally to the commanding officer, who, being being in the region where its serv-

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ices were required, was best able to judge of the positions in which the vessels should be placed, and the particular duties each should perform.

The papers herewith transmitted, marked C and D, having been written in answer to letters from the Chairman of the Committee on Naval Affairs of the Senate and House of Representatives of the United States, it appears to be proper to communicate them as part of the report from this Department.

SAML. L. SOUTHARD.

To the President of the United States.

A.

NAVY DEPARTMENT, February 1, 1823.

SIR: You have been appointed to the command of a squadron, fitted out under an act of Congress of the 20th of December last, to cruise in the West India seas and Gulf of Mexico, for the purpose of suppressing piracy, and affording effectual protection to the citizens and commerce of the United States. Your attention will also be extended to the suppression of the slave trade, according to the provisions of the several acts of Congress on that subject; copies of which, and of the instructions heretofore given to our naval commanders thereon, are herewith sent to you. While it is your duty to protect our commerce against all unlawful interruption, and to guard the rights, both of person and property, of the citizens of the United States, wherever it shall become necessary, you will observe the utmost caution not to encroach upon the rights of others; and should you, at any time, be brought into discussion or collision, with any foreign power, in relation to such rights, it will be expedient and proper that the same should be conducted with as much moderation and forbearance, as is consistent with the honour of your country, and the just claims of its citizens. Should you, in your cruise, fall in with any foreign naval force, engaged in the suppression of piracy, it is desirable that harmony and a good understanding should be cultivated between you; and you will do every thing on your part that accords with the honour of the American flag, to promote this object. So soon as the vessels at Norfolk shall be ready for sea, you will proceed to the West Indies, by such route as you shall judge best for the purpose of effecting the object of your cruise. You will establish at Thompson's Island, usually called Key West, a depot, and land the ordnance and marines to protect the stores and provisions; if, however, you shall find any important objection to this place, and a more suitable and convenient one can be found, you are at liberty to select it as a depot.

You will announce your arrival and object to the authorities, civil and military, of the island of Cuba, and endeavour to obtain, as far as shall be practicable, their co-operation, or at least their favourable and friendly support, giving them the most unequivocal assurance, that your sole object is the destruction of pirates. The system of piracy which has grown up in the West Indies, has obviously arisen from the war between Spain and the new Governments, her late provinces, in this hemisphere, and from the limited force in the islands, and their spare population, many portions of each being entirely uninhabited and desolate, to which the active authority of the Government does not extend. It is understood that establishments have been made by parties of those banditti, in those uninhabited parts to which they carry their plunder, and retreat in time of danger. It cannot be presumed that the government of any island will afford any protection or countenance to such robbers. It may, on the contrary, confidently be believed, that all governments, and

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particularly those most exposed, will afford all means in their power for their suppression.

Pirates are considered, by the law of nations, the enemies of the human race. It is the duty of all nations to put them down; and none who respect their own character or interest, will refuse to do it, much less afford them an asylum and protection. The nation that makes the greatest exertions to suppress such banditti, has the greatest merit. In making such exertions, it has a right to the aid of every other power, to the extent of its means, and to the enjoyment, under its sanction, of all its rights in the pursuit of the object.

In the case of belligerents, where the army of one party enters the territory of a neutral power, the army of the other has a right to follow it there. In the case of pirates, the right of the armed force of one power to follow them into the territory of another, is more complete. In regard to pirates, there is no neutral party, they being the enemies of the human race; all nations are parties against them, and may be considered as allies. The object and intention of our Government is, to respect the feelings as well as the rights of others, both in substance and in form, in all the measures which may be adopted to accomplish the end in view. Should, therefore, the crews of any vessels which you have seen engaged in acts of piracy, or which you have just cause to suspect of being of that character, retreat into the ports, harbours, or settled parts of the island, you may enter, in pursuit of them, such ports, harbours, and settled parts of the country, for the purpose of aiding the local authorities, or people, as the case may be, to seize and bring the offenders to justice, previously giving notice that this is your sole object.

Where a government exists, and is felt, you will, in all instances, respect the local authorities, and only act in aid of, and co-operation with them; it being the exclusive purpose of the United States to suppress piracy, an object in which all nations are equally interested; and, in the accomplishment of which, the Spanish authorities and people will, it is presumed, cordially co-operate with you. If, in the pursuit of pirates, found at sea, they shall retreat into the unsettled parts of the islands, or foreign territory, you are at liberty to pursue them, so long only as there is reasonable prospect of being able to apprehend them; and in no case are you at liberty to pursue and apprehend any one, after having been forbidden so to do by competent authority of the local government. And should you, on such pursuit, apprehend any pirates upon land, you will deliver them over to the proper authority, to be dealt with according to law, and you will furnish such evidence as shall be in your power, to prove the offence alleged against them. Should the local authorities refuse to receive and prosecute such persons, so apprehended, on your furnishing them with reasonable evidence of their guilt, you will then keep them, safely and securely, on board some of the vessels under your command, and report, without delay, to this Department, the particular circumstances of such cases. Great complaints are made of the interruption and injury to our commerce, by privateers fitted out from Spanish ports. You will endeavour to obtain, from the Spanish authorities, a list of the vessels so commissioned, and ascertain how far they have been instructed to intercept our trade with Mexico and the Colombian Republic, impressing upon them, that, according to the well settled rule of the law of nations, the United States will not consider any portion of Coast upon the Gulf of Mexico, as legally blockaded, except where a naval force is stationed, sufficient to carry into effect the blockading order or decree; and that this Government

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does not require the right or authority of Spain to interdict, or interrupt our commerce with any portion of the Coast included within the Colombian Republic or Mexican government, not actually blockaded by a competent force.

All the United States ships and vessels of war in the West Indies, of which a list is herewith enclosed, are placed under your command, and you will distribute them to such stations as shall appear to you best calculated to afford complete protection to our commerce, in which you will embrace the object of protecting the convoy of specie from Vera Cruz, and the Mexican Coast, generally, to the United States. Keep one vessel at least upon this service, to be at or near Vera Cruz during the healthy season of the year, and to be relieved as occasion shall require, both for convoy of trade, and to bring specie to the United States, confining the transportation to the United States only. You will be particularly watchful to preserve the health of the officers and crews under your command, and to guard, in every possible manner, against the unhealthiness of the climate, not permitting any intercourse with the shore where the yellow fever prevails, except in cases of absolute necessity.

Wishing you good health, and a successful cruise, I am, very respectfully, your obedient servant,

SMITH THOMPSON.  
Com. DAVID PORTER,  
Com'g U. S. Naval Force, West Indies.

B.

Copy of a letter from Lieut. C. W. Skinner, commander of the U. S. Schooner Porpoise, enclosing copies of the correspondence referred to in the letter.

U. S. SCHOONER PORPOISE,  
Matanzas, 24th October, 1824.

SIR: I have the honour to inform you that, after leaving the convoy from Havana, I stretched in for this port, where I anchored on the evening of the 18th. On inquiry, I was informed no piracies had been recently committed in this vicinity. I, however, determined to despatch the boats secretly from the harbour, and examine the adjacent bays and inlets. On the night of the 19th, I placed them under the command of Lieut. Hunter, and acting Lieut. Johnson, with orders to examine about point Yeacos, Sewappa bay, and Camarioca, places long notorious as a retreat for pirates. On the evening of the 22d, Lieut. Hunter returned with a piratical schooner of one carriage gun, one new American cutter, and two other boats; one, having three men on board, he captured in Sewappa bay. Every appearance justified the suspicion of piracy. The persons informed Lieut. Hunter their vessel had been taken by armed men; the boat they were in given in exchange, with a promise of returning in a few days and restoring their vessel. The next day, off Camarioca, Lieut. Hunter discovered a suspicious schooner standing to sea, in chase of a vessel in sight. On his approach, the schooner tacked, and made for the shore, closely pursued by the boats. The crew abandoned the vessel, and fled to the wood where they were sought for in vain; she proved to be a pirate, mounting one gun, and small arms. From the number of nautical instruments, trunks of clothing, rigging, and sails, with three sets of American colours, found on board, she must have robbed several vessels. From stains of blood on the clothes, and other articles on board, I fear the unfortunate persons to whom they belonged, must have been murdered. No papers were discovered which could lead to the name of the vessel or vessels captured; several articles of clothing were marked "Captain Shaw," a number with the initials "A. S." A bag on board was lettered "brig Morning Star's letter bag." One

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waistcoat contained in the pocket a printed card, "Mr. M. Loris's boarding house, Charleston, South Carolina," and appeared to have been newly printed. A medicine chest on board was put up in New-York. I have delivered the prisoners to the Governor of Matanzas, and shall furnish him all the testimony in my power, which can throw light on their character. The schooner I sent out last night, under command of acting Lieutenant Browne, in hopes of decoying some of her former comrades. I sail with convoy tomorrow, and after joining the prize at sea, shall proceed to Thompson's Island for supplies, and return to the protection of commerce on this coast. I trust, sir, should the prize be sufficiently fortunate to meet with pirates, I shall have the pleasure to give a satisfactory account of them.

I do myself the honour to enclose the correspondence relative to the capture of the vessels and prisoners. I have the honour to be, respectfully, Sir, your obedient servant,

CH. W. SKINNER.

To the Hon. SAMUEL L. SOUTHWARD,  
Secretary of the Navy, Washington City.

UNITED STATES' SCHOONER PORPOISE.

Matanzas, October 23, 1824.

I deliver to your Excellency three men, captured by a detachment of my boats, a few days since, under circumstances justifying a belief of their having committed piracy. An armed schooner was also captured, which the prisoners claim as their property, alleging, in explanation, that their vessel had been forcibly seized by armed men, and, in exchange, they had received from the pirate his vessel, with a promise to return in a few days, and restore their original property; under this expectation they were anxiously awaiting her arrival. Fortunately for humanity, my boats encountered her: from the quantity of clothing, goods, and nautical instruments found on board, she must have robbed several vessels, and, from stains of blood on clothes, &c. most probably murdered the unfortunate people who fell into their hands. We found on board, also, three sets of American colours. These enormities call loudly for punishment. It affords me pleasure to deliver these people to your Excellency, as I am well persuaded, from your well known regard to justice, they will meet the punishment due their crimes.

If your Excellency will inform me when you will receive them, they shall be landed under an escort.

I enclose to your Excellency the papers found on board; and have the honour to be, respectfully, your Excellency's obedient servant,

C. W. SKINNER.

To his Exc'y Don CECELIO AYILLOR,  
Governor of Matanzas.

I have just received your statement of this day, relative to the capture of a small vessel, whose crew ran to the sea shore, suspected, with much reason, to be pirates, not only on account of their flight and equipment, but of some crimes committed by them; in consequence thereof, I will give my orders to receive on the wharf, at four o'clock in the afternoon, the three men which you captured, and that you promised to remit me. I hope that to-morrow, between ten and eleven, you will have the kindness to send to this Government the officer and marine guards that joined in the capture of the vessel, to hear their respective informations, as the beginning of the summary. I hope, also, that, for their examination, you will please send the clothes stained with blood, and other articles and arms, all of which will serve for the inquiry or search, and which,

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will be returned whenever you require it, after the matter is finished.

I now put you in mind, that the papers that you mention in your statement, have not come to hand.

I declare to you that your recommendable services to the cause of humanity, and in favour of our commercial relations, will be worthy of praise to the Superior Government; and for my part, I promise you, with all the justice of the laws, and my firmness to observe them, that I will contribute to the most to the extermination of these wicked men.

With the greatest regard, I am, Dear Sir, yours,  
CECELIO AYILLOR.  
To the Commander of the American Schooner of War Porpoise.

UNITED STATES' SCHOONER PORPOISE,

Matanzas Oct. 24, 1824.

I had the honour to receive your Excellency's reply to my communication in relation to the prisoners made by this vessel, and have delivered them agreeably to your wishes. The papers which I neglected to send, I forwarded immediately on discovering the omission. The clothes stained with blood, and many other articles, were in a condition so filthy, I caused them to be thrown into the sea; for a corroboration of the testimony, which you will receive this day, I beg leave to refer your Excellency to the Spanish officer and his interpreter, who came on board the moment of arrival, and to whom the articles alluded to were exhibited.

I have the honour to be, your Excellency's Obedient Servant,

C. W. SKINNER.

To his Excellency, DON CECELIO AYILLOR,  
Governor of Matanzas.

C.

Copy of a letter addressed to the Honourable Benjamin W. Crowninshield, Chairman of the Naval Committee in the House of Representatives.

NAVY DEPARTMENT, Dec. 21st, 1824.

SIR: I have the honour to acknowledge the receipt of your letter of the 14th inst. making certain inquiries respecting the suppression of piracy, to which I submit the following answer.

The nature and extent of the force required, must necessarily be regulated by the nature and extent of the evil to be repressed. The views of the Department, on this latter point, are contained in the annual report made to the President of the United States, and communicated by him to Congress, with his message, and to which I beg leave to refer you.

There have lately been very few, if any, vessels of a large size, engaged in piratical depredations, at a distance from the land. The naval force which has been employed, and which is stated in the report referred to, has succeeded in driving away, or destroying, vessels of that description, and has thus effected the immediate object for which it was created. But the evil has assumed another shape, for which this force does not seem to be well fitted. Our vessels, even the smallest, cannot follow the pirates into many of the creeks and inlets to which they resort—this must always be done in boats, which cannot be carried by them in sufficient numbers to be effectual; nor can the greater part of them, on account of their size, and the want of accommodations for water and stores, remain long at sea, so as permanently and effectually to watch even the most suspected places.

I would therefore respectfully recommend three or more frigates, or sloops of war, as an addition

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to the force Mexico, or as The sloops w as the frigate nive. We c a less number are, without It will be done in would requir number of fr be finished be would be ab periods, wh and, being eue into any In addition be authoriz may fly. Th given on th from the ord and, ma be extende tled parts ineffectual, general and the local G their inter respect for For such a will be ind given, or negotiations this cours suggest. robbers, l ocean, if not, previe juries up are to be a repetitio Should law woul of the sl \$85,000 the annu tioned m port of th the head the other Pay a Provis Repair Hospi In an would su to design tion of t be to ap and plac surely t It is which v ficiently part of ico; an probabl than t Hence vious, to be a obviou some d would of the danger most

to the force now in the West Indies and Gulf of Mexico, or as a substitute for the small vessels. The sloops would be as competent to the object as the frigates, and would be much less expensive. We cannot, however, detach that, or even a less number, from the stations where they now are, without weakening our squadrons too much.

It will be necessary to build them, which can be done in less time, and at less expense, than would require to repair and fit for sea the same number of frigates. Two, or perhaps three, might be finished in four or five months. These vessels would be able to lie or cruise steadily, and for long periods, where their presence was most needed; and, being well provided with boats, could pursue into any waters where escape was attempted.

In addition to this provision, our officers should be authorized to pursue the pirates wherever they may fly. The authority which has heretofore been given on this point, will be seen by the extracts from the orders to Com. Porter, hereunto annexed, and marked A. The right to follow should be extended to the settled as well as the unsettled parts of the Islands; and, should this prove ineffectual, a resort will be necessary to such a general and rigorous blockade, as will make both the local Governments and their subjects feel that their interest, as well as their honour, requires a respect for our rights, and the rights of humanity. For such an extremity, the proposed sloops of war will be indispensable. What warnings should be given, or demands made upon Spain, or what negotiations had, with other Governments, before this course be adopted, it is not my province to suggest. But, as these pirates are, essentially, robbers, living upon the land, and not upon the ocean, if the local Governments cannot, or will not, prevent them from inflicting such serious injuries upon us, we must seek them where they are to be found, and so punish them, as to prevent a repetition of their crimes.

Should the foregoing suggestions be adopted, a law would be necessary, authorizing the building of the sloops of war, with an appropriation of \$85,000 for the cost of each, and \$61,086 50 for the annual support of each. Or the sums mentioned may be added to the estimates for the support of the navy; the amount for building, under the head of building and repairs of vessels; and the other, under those of

Pay and subsistence	31,391 50
Provisions	15,695 00
Repairs, including wear and tear	12,000 00
Hospital stores and medicine	2,000 00
	<hr/>
	\$61,086 50

In answer to your inquiry on the subject, I would suggest that it is not believed to be proper to designate, in any act of Congress, the disposition of the force; the only effect of which would be to apprise the pirates more fully of the mode and place of attack, and thus enable them more surely to escape.

It is proper to remark, that any naval force which we can apply to this object, will not be sufficiently extensive to cover, at all times, every part of the shores of the Islands and Gulf of Mexico; and that some merchant vessels may, and probably will be caught, without other protection than that which their own strength affords. Hence, the suggestion of arming them is very obvious, and has been frequently made. The evils to be apprehended from it, however, are equally obvious. No sufficient pledge can be given, that some of them, if armed, and feeling their power, would not abuse it; and, in the present situation of the West Indies, and countries south of us, endanger our friendly relations, and commit acts almost as much to be deprecated as those against

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which we are attempting to guard. The natural state of merchant vessels is the peaceful and unarmed state; and although permission to arm might, in this instance, free them from some of the evils to which they would be exposed without such authority, yet it is believed that few, whose only object is fair commerce, would avail themselves of the legal privilege. The expense and inconvenience of arming is great, and would be illy borne by a large part of the commerce now carried on, in that quarter, in American vessels. The danger does not seem to be considered so urgent, as to compel them to do it. Convoy has been often declined, rather than submit to slight delays, or changes in the course of the vessel; and it is understood, that insurance is unusually low, and that the offices add little, if any thing, on account of this risk. It may be effected, to the West Indies, at one per cent. on the outward, and one on the homeward voyage; and, in some instances, at one and a half, embracing both, which is below the actual expense of arming.

It has been sometimes proposed that the expense should be met by the Government, and protection afforded, by placing on board each vessel a number of marines or soldiers; but this plan will at once be perceived to be impracticable, when the number of our merchant vessels is considered, with the different routes which they pursue, and the times at which they sail. The remedy must be extremely partial, or the expense enormous. The whole marine corps would, probably, not equal one-fifth of what would be required for a sufficient and equal distribution among all.

It has also been proposed to furnish convoy at stated periods. This could be done at periods of fifteen or twenty days, from some position on our coast, to some point which is considered beyond the danger. But to this there are, also, obvious objections. It would employ all our force in the Atlantic, and prevent attention to other objects; an evil of too serious a magnitude to be encountered. It would be impossible to extend the convoy throughout the whole cruise, and stopping at a given point, the pirates would immediately transfer and renew their attacks beyond that point, where the vessels would, in that case, be more unprotected than they now are. It would also destroy competition of enterprise among our merchants, and confine them all to the same times and courses of navigation; an evil which they well know how to estimate. They would not accept your protection at such a price.

I do not, then, perceive, in any of the suggestions which have been presented to my mind, so cheap, efficient, and certain remedy for the evil as that which I have preferred; and, if it be adopted, we shall, after the proposed vessels are prepared, be enabled to dispose of the small schooners now employed in the West Indies and Gulf of Mexico; a force which has been found exceedingly expensive, and injurious to the discipline and efficiency of the service. I am, very respectfully, sir, your most obedient servant.

SAML. L. SOUTHARD.

D.

*Extracts of a letter to the Honourable James Lloyd, Chairman of the Committee on Naval Affairs, of the Senate, dated 29th Dec. 1824.*

"I have the honour to state, that there are no cases of piratical depredations, or other information on the subject in the possession of the Department, which are not referred to in the report accompanying the President's message to Congress."

"No reports of cases have been received, except those made by naval officers, of such as have come, in some way, under their own observation. No memorandum has been kept of the cases de-

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tailed in the public journals, but some of them have, occasionally, been enclosed to the commanding officer of the station, to afford him information in the discharge of his duties."

"The 'additional means' alluded to, as proper to be entrusted to the Executive, if an efficient co-operation of the local governments could not be obtained, were, three or four frigates, or sloops of war, with boats for pursuit of the Pirates; authority to pursue them, wherever they might attempt to escape, and authority to enforce a rigorous blockade, if other effects should prove ineffectual."

"I have not supposed that it would be expedient to authorize, by law, our merchant vessels to arm. Should Congress entertain a different opinion on this point, and pass a law on the subject, it should embrace 'provisions and restrictions,' similar to those contained in the 3d and 4th sections of the 'Act to authorize the defence of the merchant vessels of the United States against French depredations,' passed 25th June, 1798."

#### NAMES OF INDIAN TRIBES, &c.

*Documents accompanying the Message of the President, of the 27th instant.*

DEPARTMENT OF WAR, 24th Jan. 1825.

SIR: In obedience to your instructions, directing a statement of the names of the Indian tribes now remaining within the limits of the different States and Territories, the number of each tribe, and the quantity of land claimed by each; and also an estimate of the amount of appropriation necessary to commence the work of removing the Indians beyond the Mississippi, to be laid before you, I herewith enclose a report from Col. McKenney, to whom is assigned the charge of the office of Indian Affairs, which contains all the information required, except the estimate of the sum that will be necessary to be appropriated to commence the removal.

In forming the estimate required, it will be necessary to take a summary view of the number and position of the several tribes to be removed, and to form a plan in detail for their removal.

It appears, by the report enclosed, that there are in the several states and territories, not including the portion of Michigan territory west of Lake Michigan, and north of the state of Illinois, about 97,000 Indians, and that they occupy about 77,000,000 of acres of land.

The arrangement for the removal, it is presumed, is not intended to comprehend the small remnants of tribes in Maine, Massachusetts, Connecticut, Rhode Island, Virginia, and South-Carolina, amounting to 3,023. To these, also, may be added, the remnants of many tribes remaining in Louisiana, amounting to 1,313, as they are, each of them, so few in number, that it is believed very little expense or difficulty will be found in their removal—making, together, 4,336; which, subtracted from the 97,000, the entire number in the states and territories, will leave 92,664 to be removed. Of these, there are residing in the northern parts of the states of Indiana, Illinois, in the peninsula of Michigan, and New-York, including the Ottawas in Ohio, about 13,160; which, I would respectfully suggest, might be removed with advantage to the country west of Lake Michigan and north of the state of Illinois.—The climate and the nature of the country are much more favourable to their habits, than that west of the Mississippi; to which may be added, that the Indians in New-York have already commenced a settlement at Green Bay, and exhibit some disposition to make it a permanent one; and that the Indians referred to in Indiana, Illinois, in the peninsula of Michigan and Ohio, will find in the country designated, kindred tribes, with whom they may be readily associated. These considerations, with the greater facility with which they could be collected in that portion of the country, compared with that of collecting them west of the Mississippi, form a

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strong inducement to give it the preference. Should the proposition be adopted, the Indians in question might be gradually collected, as it became necessary, from time to time, to extinguish the Indian title in Indiana, Illinois, and Michigan, without incurring any additional expense other than what is usually incidental to such extinguishment. Deducting, then, the Indians residing in the north-western parts of Indiana, Illinois, in Michigan, and New-York, with the Ottawas in Ohio, amounting to 13,150, from 92,664, will leave but 79,514.

It is proper to add, that a late treaty with the Quapaws stipulates and provides for their removal and joining the Caddoes; and they may also be deducted from the number for whose removal provision ought to be made. They are estimated at 700, which, taken from 79,514, will leave 78,814 to be removed west of the state of Missouri and territory of Arkansas, should the views of the Department be adopted.

Of these, there are estimated to reside in the states of North-Carolina, Georgia, Tennessee, Alabama, and Mississippi, 53,625, consisting of Cherokees, Creeks, Choctaws, and Chickasaws, and claiming about 33,573,176 acres, including the claim of the Cherokees in North-Carolina; 3,082 in Ohio, and in the southern and middle parts of Indiana and Illinois, consisting of Wyandotts, Shawnees, Senecas, Delawares, Kaskaskias, and Miamis and Eel Rivers; 5,000 in Florida, consisting of Seminoles and remnants of other tribes; and the remainder in Missouri and Arkansas, consisting of Delawares, Kickapoos, Shawnees, Weas, Ioways, Piankeshaws, Cherokees, Quapaws, and Osages.

The next subject of consideration will be, to acquire a sufficient tract of country west of the state of Missouri and territory of Arkansas, in order to establish permanent settlements, in that quarter, of the tribes which are proposed to be removed. The country between the Red River and the Arkansas has already been allotted to the Choctaws, under the treaty of the 18th October, 1820. The country north of the river Arkansas, and immediately west of the state of Missouri, is held almost entirely by the Osages and the Kanzas. The principal settlement of the former being on the Osage river, not far west of the western boundary of Missouri; and of the latter on the Missouri river, near Cow Island. There is a band of the Osages situated on the Verdigris, a branch of the Arkansas. Governor Clark has been already instructed to take measures to remove them from the Verdigris, to join the other bands on the Osage river. To carry this object into effect, and to extinguish the title of the Osages upon the Arkansas and in the state of Missouri; and also to extinguish the title of the Kanzas to whatever tract of country may be necessary to effect the views of the government, will be the first object of expenditure, and would require an appropriation, it is believed, of not less than \$30,000.

After this is effected, the next will be to allot a portion of their country to each of the tribes, and to commence the work of removal. The former could be effected, by vesting in the President discretionary power to make the location; and the latter, by commencing with the removal of the Cherokees, Piankeshaws, Weas, Shawnees, Kickapoos, and Delawares, who now occupy different tracts of country lying in the north-western portion of the Arkansas Territory, and the south-western portion of the state of Missouri. It is believed that the Cherokees, to whom has been allotted a country lying between the Arkansas and White Rivers, will very readily agree to removing their eastern boundary further west, on the consideration that for the lands thereby ceded they may have assigned to them an equal quantity farther west, as they have evinced a strong disposition to prevent the settlement of the whites to the west of them. It is probable that this arrangement could be effected by an

appropriation of a few thousand dollars, say five thousand, for the expense of holding the treaty. Nor is it believed that there will be any difficulty in inducing the Piankeshaws, Weas, Shawnees, Kickapoos, and Delawares, to occupy a position that may be assigned to them west of the state of Missouri, or that the operation will be attended with any great expense. The kindred tribes in the states of Ohio and Indiana, including the Wyandotts, the Senecas, and the Miamis, and Eel Rivers, in those states, and the Kaskaskias in Illinois, it is believed might be induced without much difficulty to join them, after those now residing in Missouri are fixed in their new position west of that state. Of the sum that may be necessary for this purpose, it is difficult to form an estimate. These tribes amount to 3,082. The expense of extinguishing their title to the lands occupied by them, will probably be high in comparison with the price which has been usually given for lands in that quarter, as they (particularly the Indians in Ohio) have made some advances in civilization, and considerable improvements on their lands. The better course would be to remove them gradually, commencing with those tribes which are most disposed to leave their present settlements; and if this arrangement should be adopted, an appropriation of \$20,000 would be sufficient to commence with.

It may, however, be proper to remark, that these tribes, together with those in New-York, have indicated a disposition to join the Cherokees on the Arkansas, and that a deputation of the former, with a deputation from those Cherokees, are now on their way to the seat of government, in order to make some arrangement to carry the proposed union into effect. Should it be accomplished, it would vary the arrangement which has been suggested in relation to them, but will not, probably, materially vary the expense.

It only remains now to consider the removal of the Indians in Florida, and the four southern tribes residing in North-Carolina, Georgia, Tennessee, Alabama and Mississippi.

It is believed that immediate measures need not be taken with regard to the Indians in Florida. By the treaty of the 18th September, 1823, they ceded the whole of the northern portion of Florida, with the exception of a few small reservations, and have had allotted to them the southern part of the peninsula; and it is probable that no inconvenience will be felt, for many years, either by the inhabitants of Florida or the Indians, under the present arrangement.

Of the four southern tribes, two of them, the Cherokees and Choctaws, have already allotted to them a tract of country west of the Mississippi. That which has been allotted to the latter, is believed to be sufficiently ample for the whole nation, should they emigrate; and if an arrangement, which is believed not to be impracticable, could be made between them and the Chickasaws, who are their neighbors, and of similar habits and disposition, it would be sufficient for the accommodation of both. A sufficient country should be reserved to the west of the Cherokees, on the Arkansas, as a means of exchange with those who remain on the east. To the Creeks might be allotted a country between the Arkansas and Canadian rivers, which limits the northern boundary of the Choctaw possessions in that quarter. There is now pending with the Creeks, a negotiation, under the appropriation of the last session, with a prospect that the portion of that nation which resides within the limits of Georgia, may be induced, with the consent of the nation, to cede the country which they occupy for a portion of the one which it is proposed to allot to the Creek nation on the west of the Mississippi. Should the treaty prove successful, its stipulations will provide for the means of carrying it into effect, which will render any additional provision at present unnecessary. It will be proper to open new

communications with the Cherokees, Choctaws, and Chickasaws, for the purpose of explaining to them the views of the government, and inducing them to remove beyond the Mississippi, on the principles and conditions which may be proposed to the other tribes. It is known that there are many individuals of each of the tribes, who are desirous of settling west of the Mississippi; and should it be thought advisable, there can be no doubt that, by an adequate appropriation, the means were afforded the government of bearing their expense, they would emigrate. Should it be thought that the encouragement of such emigration is desirable, the sum of 40,000 dollars would at least be required to be appropriated for this object, to be applied under the discretion of the President of the United States. The several sums which have been recommended to be appropriated, if the proposed arrangements should be adopted, amount to 95,000 dollars. The appropriation may be made either general or specific, as may be considered most advisable.

I cannot, however, conclude without remarking, that no arrangement ought to be made which does not regard the interest of the Indians as well as our own; and that, to protect the interest of the former, decisive measures ought to be adopted to prevent the hostility which must almost necessarily take place, if left to themselves, among tribes hastily brought together, of discordant character, and many of which are actuated by feelings far from being friendly towards each other. But the preservation of peace between them, will not alone be sufficient to render their condition as eligible in their new situation as it is in their present. Almost all of the tribes proposed to be affected by the arrangement, are more or less advanced in the arts of civilized life, and there is scarcely one of them which have not the establishments of schools in the nation, affording at once the means of moral, religious, and intellectual improvement. These schools have been established for the most part by religious societies, with the countenance and aid of the government, and, on every principle of humanity, the continuance of similar advantages of education ought to be extended to them in their new residence.

There is another point which appears to be indispensable to be guarded, in order to render the condition of this race less afflictive. One of the greatest evils to which they are subject, is that incessant pressure of our population, which forces them from seat to seat without allowing time for that moral and intellectual improvement, for which they appear to be naturally eminently susceptible. To guard against this evil so fatal to the race, there ought to be the strongest and the most solemn assurance that the country given them should be theirs, as a permanent home for themselves and their posterity, without being disturbed by the encroachments of our citizens. To such assurance, if there should be added a system by which the government, without destroying their independence, would gradually unite the several tribes, under a simple but enlightened system of government and laws, formed on the principles of our own; and for which, as their own people would partake in it, they would, under the influence of the contemplated improvement, at no distant day, become prepared. The arrangements which have been proposed, would prove to the Indians and their posterity a permanent blessing. It is believed that, if they could be assured that peace and friendship would be maintained among the several tribes; that the advantages of education which they now enjoy would be extended to them; that they should have a permanent and solemn guarantee for their possessions, and receive the countenance and aid of the government for the gradual extension of its privileges to them, there would be among all of the tribes a disposition to accord with the views of the government.

[To be Continued.]